

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

STACEY BROWN,

05-CV-1393-HU

Petitioner,

ORDER

v.

JEAN HILL, Superintendent,
Snake River Correctional
Institution,

Respondent.

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BROWN, Judge.

Magistrate Judge Dennis James Hubel issued Findings and Recommendation (#32) on October 18, 2006, in which he recommended this Court deny Petitioner Brown's Amended Petition for Writ of Habeas Corpus (#26) and dismiss this proceeding with prejudice. Petitioner Brown filed timely objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). *See also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988); *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981), *cert. denied*, 455 U.S. 920 (1982). This Court has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Hubel's Findings and Recommendation (#32). Accordingly, the Court **DENIES** Petitioner Brown's Amended Petition for Writ of Habeas Corpus (#26) and **DISMISSES** this proceeding **with prejudice**.

IT IS SO ORDERED.

DATED this 7th day of February, 2007.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge